



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

JEFFREY WELCH, L.P.N.
License # NP 06476000

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about December 18, 2012, respondent was asked to provide documentation, in the form of certificates of completion, of all nursing continuing education completed in the last three years. A follow-up letter was sent on or about April 24, 2013, asking specifically for documentation of all nursing continuing education completed since June 1, 2010.

3. Respondent submitted documentation of completion of six (6) contact hours of continuing education completed on October 23, 2010, twelve (12) contact hours completed on June 20, 2012, and four (4) hours completed on October 10, 2012.

As such, Respondent demonstrated that he completed six (6) hours of continuing education for the June 1, 2010 – May 31, 2012 renewal period and sixteen (16) hours of continuing education for the June 1, 2012 – May 31, 2014 renewal period.

4. Respondent renewed his nursing license on or about May 13, 2012, and indicated "Y" for "yes" in response to the question as to whether he completed the required continuing education credits for the June 1, 2010 – May 31, 2012 renewal period.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3, a nurse shall complete a minimum of 30 hours of continuing education per biennial period. Falsification of any information submitted on the renewal application may result in penalties pursuant to N.J.A.C. 13:37-5.3(a). Additionally, a registered professional nurse or licensed practical nurse shall maintain continuing education compliance documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f).

Respondent's failure to timely complete his continuing education obligation for the June 1, 2010 – May 31, 2012 renewal cycle constitutes a violation of N.J.A.C. 13:37-5.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(h).

Respondent's failure to accurately indicate the status of his continuing education on his biennial renewal application constitutes a violation of N.J.S.A. 45:1-21(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice nursing in the State of New

Jersey, and imposing a reprimand and a two hundred fifty dollar (\$250) civil penalty was filed on May 29, 2013. Copies were served on respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefore.

Respondent timely replied to the Provisional Order and provided documentation of completion of additional hours of nursing continuing education. Respondent may apply all the continuing education completed from June 2012 through June 7, 2013 to cure the deficiency of the June 1, 2010 – May 31, 2012 renewal period and thereby avoid suspension of his license. Respondent asked for consideration from the Board, claiming that he did not initially have the documentation of his continuing education due to storm damage.

Respondent's submissions were reviewed by the Board, and the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was satisfied that respondent made up the missing hours of continuing education for the June 1, 2010 – May 31, 2012 renewal period. Therefore, the Board determined to modify the Provisional Order of Discipline by eliminating the suspension of the respondent's license.

ACCORDINGLY, IT IS on this 17th day of Oct. , 2013,
ORDERED that:

1. A public reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(b)
2. A two hundred fifty dollar (\$250) civil penalty is hereby imposed upon respondent for the failure to timely complete continuing education in violation of N.J.A.C. 13:37-5.3. Respondent submitted a money order for \$250 in response to the Provisional Order, which shall be processed as payment for this civil penalty.
3. Any continuing education completed after May 31, 2012 and applied to cure the deficiency of the previous biennial period shall not be used to satisfy the requirements of the current biennial period. Respondent shall complete an additional thirty (30) hours of continuing education prior to May 31, 2014 to satisfy the requirements of the June 1, 2012 – May 31, 2014 biennial period.

NEW JERSEY STATE BOARD OF NURSING

By:

Patricia Murphy, PhD, APRN, FAAN

Patricia Ann Murphy, PhD, APN
Board President